

EXHIBIT JN8

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5 Attorneys Specially Appearing For Defendants
 6 DHI Mortgage Company, Ltd., Michael Mason,
 6 Daniel Callihan and Annie Schankin

FILED
 San Francisco County Superior Court
 JAN 11 2007
 JAN 17 2007

Deputy Clerk

Deputy Clerk

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 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 FOR THE COUNTY OF SAN FRANCISCO
 10 UNLIMITED JURISDICTION

11
 12 PATRICE A. MISSUD,

13 Plaintiff,

14 vs.

15 DR HORTON, A CORPORATION; DHI
 16 MORTGAGE, A CORPORATION;
 16 MICHAEL MASON, AGENT OF DHI
 17 MORTGAGE; DANIEL CALLIHAN,
 17 AGENT OF DHI MORTGAGE; ANNE
 18 SCHANKIN, AGENT OF DR HORTON,

19 Defendants.

Case No. CGC 05-447499

[PROPOSED] ORDER SUSTAINING
 MOTION TO QUASH SERVICE OF
 SUMMONS AND COMPLAINT

Date: January 11, 2007
 Time: 9:30 a.m.
 Dept: 301
 Judge: Hon. Peter J. Busch

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ORDER SUSTAINING MOTION TO QUASH SERVICE OF SUMMONS AND COMPLAINT

1 After full consideration of the Motion to Quash Service of Summons and Complaint
 2 and/or to Stay or Dismiss on the Grounds of Forum *Non Conveniens* filed by defendants DHI
 3 Mortgage Company, Ltd., Michael Mason, Daniel Callihan and Annie Schankin ("Defendants"),
 4 the papers submitted by the parties in support and in opposition thereto, and the arguments of
 5 counsel,

6 **IT IS HEREBY ORDERED, DECREED AND AJUDGED** that:

7 1. Defendants' Motion to Quash Service of Summons and Complaint ("Motion to
 8 Quash") is **SUSTAINED**.

9 2. The Court finds that plaintiff has failed to effect proper service of process on
 10 defendant Annie Schankin and, in any event, plaintiff has failed to demonstrate personal
 11 jurisdiction over said defendant. Accordingly, Defendants' Motion to Quash is **SUSTAINED** as
 12 to defendant Annie Schankin for failure to effect proper service of process and lack of personal
 13 jurisdiction.

14 3. The Court finds that plaintiff failed to demonstrate personal jurisdiction over
 15 defendants DHI Mortgage, Michael Mason and Daniel Callihan. There is no general jurisdiction
 16 and Defendants' calls and letters from Nevada in the course of negotiating a possible loan
 17 application does not create special jurisdiction. Accordingly, defendants' Motion to Quash is
 18 **SUSTAINED** as to defendants DHI Mortgage, Michael Mason and Daniel Callihan for lack of
 19 personal jurisdiction.

20 4. Pursuant to Code of Civil Procedure sections 418.10 and 581(h), the Clerk of the
 21 Court is hereby directed to enter forthwith a dismissal, without prejudice, of plaintiff's entire
 22 complaint as to remaining defendants in this action, DHI Mortgage, Michael Mason, Daniel
 23 Callihan, and Annie Schankin.

24
 25 Dated: 1/11/07


 26 _____
 27 Judge of the Superior Court
 28 **PETER J. BUSCH**